

No. 9/5/84-6Lab./5338—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ashoka Theater (P) Ltd. Rohtak.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 164 of 84

between

SHRI SHANTI SAWROOP, WORKMAN AND THE MANAGEMENT OF M/S ASHOKA
THEATRE (P) LTD., ROHTAK

Present :—

Shri S. N. Vats, A. R. for the workman.

None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Shanti Sawroop and the management of M/s Ashoka Theatre (P) Ltd., Rohtak,—vide Labour Department Gazette Notification No. 33537-42, dated 3rd September, 1984 :—

Whether the termination of services of Shri Shanti Sawroop, is justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The workman appeared but the respondent did not inspite of service through registered notice and as such *ex parte* proceedings order was passed against the respondent by me on 15th January, 1985.

3. Otherwise the claim of the workman is that he was employed with the respondent as a Accounts Clerk since 1st October, 1977 but the respondent choose to terminate his services unlawfully on 31st May, 1984 in flagrant disregard of the provisions of the Industrial Disputes Act, 1947. As already observed, the respondent did not appear inspite of service and so *ex parte* proceedings order was passed against the respondent.

4. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of the claim filed by him. I, see no reason to disbelieve the sworn deposition made by the workman, which remained un rebutted. So, I find that the respondent has unlawfully terminated the services of the workman and as such, the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 30th May, 1985.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak.

Endst. No. 164-84/883, dated 13th June, 1985

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak.